

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AMBER ESKRIDGE

Plaintiff,

v.

JPMORGAN CHASE

Defendant.

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Case No. _____

Judge _____

DEFENDANT'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§1441 and 1446, Defendant Chase Home Finance, LLC (named incorrectly herein as "JP Morgan Chase"), through its counsel SCHOTTENSTEIN, ZOX & DUNN, hereby gives notice of its removal of the within action from the Cuyahoga County Court of Common Pleas to the United States District Court, Northern District of Ohio, Eastern Division. As grounds therefore, Defendant states as follows:

1. Status of Case: On January 31, 2007, a civil action was commenced by Plaintiff Amber Eskridge against Defendant in the Common Pleas Court of Cuyahoga County, Ohio, where it was docketed as Case No. CV 07 614590. Copies of the Complaint and Summons are attached hereto as Exhibit A. They were served upon Defendant on February 13, 2007. Defendant has notified the Common Pleas Court of the removal of this action. No other process, pleadings or order have been filed and served in this action.

2. Nature of the Case: This is a civil action over which this Court has original jurisdiction under 28 U.S.C. §1332 and is one which may be removed to this Court by Defendant, pursuant to 28 U.S.C. §§1441 and 1446, in that it is an action between citizens of

different states wherein the amount in controversy exceeds the sum of \$75,000.00, exclusive of interests and costs.

3. Citizenship of the Parties: Plaintiff was at the time of the commencement of this action and is now a citizen and resident of the State of Ohio by virtue of the address listed in the caption of the Complaint she filed, which is 17315 Throckley Avenue, Apt. 533, Cleveland, Ohio 44128. (*See* Complaint, Ex. A). Defendant was at the time of the commencement of this action and is Delaware limited liability company with its principal place of business at 194 Wood Avenue South, Iselin, NJ 08830. (*See* Jones Afd. ¶2, Ex. B). As a result, there is complete diversity of citizenship between Plaintiff and Defendant so as to vest removal jurisdiction in this Court.

4. Amount in Controversy: This is a civil action wherein the amount in controversy, exclusive of interests and costs, exceeds the sum of \$75,000.00. More specifically, Plaintiff seeks \$600,000 in compensatory and punitive damages in the “WHEREFORE” clause of the Complaint. (*See* Complaint, pp. 4-5, subparagraphs (D) and (E)).

5. Timing of Removal: Fewer than thirty (30) days have elapsed since Defendant was served with Plaintiff's Complaint on February 13, 2007. *See* 28 U.S.C. §1446(b).

6. True and correct copies of this Notice of Removal with accompanying exhibits and Notice of Removal Directed to State Court will be served upon Plaintiff's counsel and filed with the Clerk of the Cuyahoga County Court of Common Pleas on this date, in accordance with the provisions of 28 U.S.C. §1446(d).

WHEREFORE, Defendant respectfully requests that the action now pending in the Cuyahoga County Common Pleas Court be removed therefrom to this Court in accordance with the foregoing statutory provisions.

Respectfully submitted,
SCHOTTENSTEIN, ZOX & DUNN

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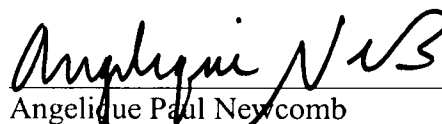
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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March, 2007, a copy of the foregoing Defendant's Notice of Removal was served by regular U.S. mail, postage pre-paid, upon the following: Andrew L. Margolius, Esq., Emily E. Warren, Esq., Margolius, Margolius, & Associates, 55 Public Square, Suite 1100, Cleveland, OH 44113, *Attorneys for Plaintiff Amber Eskridge.*


Angelique Paul Newcomb